

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO DIVERSIFIED)	ADMINISTRATIVE
OPERATIONS OF LOCAL EXCHANGE)	CASE NO. 340
TELEPHONE COMPANIES)	

O R D E R

This matter arising upon petition of South Central Rural Telephone Cooperative Corporation, Inc. ("South Central RTCC") filed January 15, 1992 pursuant to 807 KAR 5:001, Section 7, and KRS 61.870 et seq. for confidential protection of Exhibits 1 and 3 to its responses to the Commission's Order of October 25, 1991 on the grounds that the information is entitled to confidential protection as provided by KRS 61.878(1)(b), and it appearing to this Commission as follows:

KRS 61.878(1)(b) protects as confidential certain commercial information confidentially disclosed to a public agency. To qualify for this exemption, it must be established that disclosure of the information is likely to cause substantial competitive harm to the party from whom the information was obtained. To satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage. The petition filed by South Central RTCC does not identify the competitors who would benefit from the

information, nor does it demonstrate how competitors could use the information to the detriment of South Central RTCC. Therefore, the petition for confidential protection should be denied.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:


1. The petition to protect as confidential Exhibits 1 and 3 of South Central RTCC's responses to the Commission's Order of October 25, 1991 be and is hereby denied.

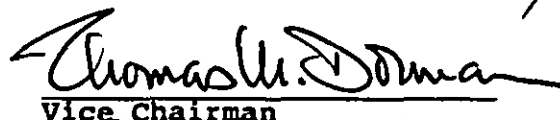
2. The information sought to be protected shall be held and retained by this Commission as confidential and shall not be open for public inspection for a period of 20 days from the date of this Order.

3. If, at the expiration of the 20-day period, South Central RTCC has not filed a petition in compliance with the requirements of 807 KAR 5:001, Section 7, which satisfies the criteria of KRS 61.878(1)(b), the information sought to be protected shall, without further Orders herein, be placed in the public record.

Done at Frankfort, Kentucky, this 11th day of February, 1992.

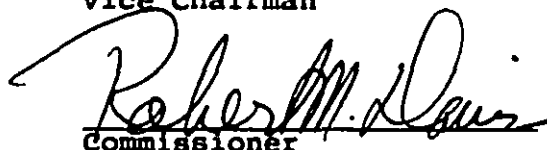
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director


Commissioner